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JUN 21 2004
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

APPLICANT: NAUMANN

EXAMINER: CHANG, CHING

SERUAK NO: 10/643,472

GROUP ART UNIT: 3748

FILING DATE: Aug. 19, 2003

FOR: VARIABLE VALVE-STROKE CONTROLS

RESPONSE

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

SIR:

In the Office Action of May 25, 2004 the Examiner has applied a restriction requirement to the examination of this application, and has required that applicant elect a single one of the species of Fig. 1, Fig. 2, Fig. 3, Fig. 4, and Fig. 5.

In response to this requirement for election, applicant provisionally elects the species of Figure 4.

In conjunction with the elected species, applicant lists the following claims as being readable on the elected species:

Claims 12, 13, 14, 19, and 20.

The Examiner's restriction requirement is respectfully traversed on the basis that the subject matter of the claims is so closely related that all claims can be examined together without requiring separate search. It is respectfully requested, therefore that the Examiner reconsider the restriction requirement.

In view thereof, it is believed that the restriction requirement set in the Office Action should be withdrawn, and all of the claims in the application should be examined.

Since a provisional election has been made, on the other hand, as required, it is respectfully requested that an Office Action on the merits of the application be issued.

I hereby certify that this correspondence is being submitted with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents 6000 12th Street, Washington D.C. 20231, on 6-18-04.

MAX FOGIEL
Name of Applicant, Assignee, or
Registered Representative

Max Fogiel
Signature

6-18-04
Date of Signature

Respectfully submitted,

Max Fogiel
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